

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>MAX LEROY REED, JR. and</b>	)	
<b>ELIZABETH REED, individually</b>	)	
<b>and on behalf of all similarly</b>	)	
<b>situated individuals,</b>	)	
	)	
<b>Plaintiffs,</b>	)	<b>CASE NO. 1:11-cv-00412-WS-C</b>
	)	
<b>v.</b>	)	
	)	
<b>CHASE HOME FINANCE LLC,</b>	)	
	)	
<b>Defendant.</b>	)	

**MOTION TO RECONCILE DEADLINES**

The Court has directed defendant JPMorgan Chase Bank, N.A., successor by merger to Chase Home Finance LLC, (“Chase”) to submit legal and factual justification on or before March 12, 2012, for filing under seal its Evidentiary Submission in Support of Summary Judgment.

Chase’s Evidentiary Submission was conditionally filed under seal in its entirety for logistical reasons. The CM/ECF System for the Southern District of Alabama provides two mutually exclusive options for electronic filing of such a submission; namely, that the entire evidentiary submission be filed under seal or that none of the submission be sealed. Based on the undersigned counsel’s experience with the system, there is no option to designate only a subset of

summary judgment exhibits to be filed under seal.

As a result, Chase faced two options when filing its motion for summary judgment: (1) submit the entire Evidentiary Submission under seal; or (2) file two separate evidentiary submissions. With no proviso for separate evidentiary submissions in the Scheduling Order, Protective Order, or local rules, Chase's counsel opted to file everything under seal conditionally.

Chase did not anticipate or intend that its entire Evidentiary Submission would remain under seal. Instead, consistent with the January 20, 2012 Protective Order, the defendant planned to file a Motion to Maintain Certain Documents under Seal within 14 days of filing its Evidentiary Submission, specifying which documents should remain under seal and why. (*See* Doc. 41 at ¶ 14).

Chase filed its Evidentiary Submission under seal on February 24, 2012; therefore, the 14-day deadline under the Protective Order for Chase's submission to maintain certain documents under seal elapses this Friday, March 9, 2012. In light of the Court's February 27, 2012 Order requesting a similar submission on March 12, Chase respectfully requests that the March 9 deadline be extended to and reconciled with the March 12 deadline so that neither the Court nor the defendant is burdened with two pleadings that would overlap significantly.

Respectfully submitted this the 7th day of March, 2012,

/s/ Helen Kathryn Downs

Helen Kathryn Downs (DOWNH8460)

Alan D. Mathis (MATHA8922)

One of the Attorneys for Defendant  
JPMorgan Chase Bank, N.A., successor  
by merger to Chase Home Finance LLC

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**OF COUNSEL**

**CERTIFICATE OF SERVICE**

I hereby certify that on March 7, 2012 the foregoing was electronically filed using the Court's CM/ECF system, which will send notification of such filing to the following counsel of record:

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**OF COUNSEL**